

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION**

JESSICA LASHEY WILLIAMS and  
TYRONE GREGORY GARRETT,

Plaintiffs,

vs.

Case No. 3:21-cv-994-MMH-JRK

JACKSONVILLE SHERIFF'S OFFICE,

Defendant.

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**ORDER**

**THIS CAUSE** is before the Court on Plaintiffs' Notice and Motion to Request Judge and Trial and/or Mediation in the US Middle District Jacksonville Division Civil Court Claim for Damages (Monetary) (Doc. 5; Motion), filed October 13, 2021. Having reviewed the Motion, the Court finds that the Motion is due to be denied without prejudice as it does not comply with Rule 1.08(a) of the Local Rules of the United States District Court for the Middle District of Florida (Local Rule(s)), Rule 3.01(g) of the Local Rules, or Rule 11 of the Federal Rules of Civil Procedure (Rules).

While pro se filings are held to a less stringent standard than those drafted by an attorney, Wright v. Newsome, 795 F.2d 964, 967 (11th Cir. 1986), the pro se litigant is still required to "conform to procedural rules." Riley v. Fairbanks Capital Corp., 222 F. App'x 897, 898 (11th Cir. 2007) (quoting Loren

v. Sasser, 309 F.3d 1296, 1304 (11th Cir. 2002)).<sup>1</sup> The Motion does not comply with the new typography requirements set forth in the recently amended Local Rules, which took effect on February 1, 2021. See Local Rule 1.08(a)-(b). Rule 1.08 requires that the main text of filings be at least 13-point font and double-spaced. Id. The Motion is single-spaced and has a small font.

In addition, it appears that Plaintiffs failed to provide certification under Local Rule 3.01(g), confirming that they conferred with Defendant in a good faith effort to resolve the issues raised by the Motion and advising the Court whether Defendant agrees to the relief requested.

Finally, the Motion does not comply with Rule 11, which requires the following:

Every pleading, written motion, and other paper must be signed . . . by a party personally if the party is unrepresented. The paper must state the *signer's address, e-mail address, and telephone number*. . . . The court must strike an unsigned paper unless the omission is promptly corrected after being called to the attorney's or party's attention.

Fed. R. Civ. P. 11(a) (emphasis added). Here, Plaintiffs do not include their addresses, email addresses, and telephone numbers on the Motion, nor does that information appear on the Court docket.

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<sup>1</sup> In citing to Riley, the Court notes that “[a]lthough an unpublished opinion is not binding . . . , it is persuasive authority.” United States v. Futrell, 209 F.3d 1286, 1289 (11th Cir. 2000) (per curiam); see generally Fed. R. App. P. 32.1; 11th Cir. R. 36–2 (“Unpublished opinions are not considered binding precedent, but they may be cited as persuasive authority.”).

Given the number of procedural deficiencies, the Court will deny the Motion without prejudice and give Plaintiffs an opportunity to file a renewed motion, if warranted, that fully complies with the Federal Rules of Civil Procedure and with the Local Rules of this Court. If Plaintiffs choose to file a renewed motion, Plaintiffs must review and fully comply with the typography requirements of Local Rule 1.08 and include a memorandum of law supporting Plaintiffs' request. See Local Rule 3.01(a). In addition, any renewed motion must comply with Local Rule 3.01(g), (1) certifying that Plaintiffs have conferred with opposing counsel, (2) indicating whether counsel agree on the resolution of the Motion, and (3) if the Motion is opposed, explaining the means by which the conference occurred. Plaintiffs also must sign<sup>2</sup> the renewed motion and include their addresses, email addresses, and telephone numbers as required by Rule 11.

Accordingly, it is

**ORDERED:**


1. Plaintiffs' Notice and Motion (Doc. 5) is **DENIED without prejudice**.

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<sup>2</sup> The Court directs Plaintiffs to the Court's website ([www.flmd.uscourts.gov](http://www.flmd.uscourts.gov)). Under the tab entitled, "Filing a Case," there is a section entitled, "Administrative Procedures for Electronic Filing (PDF)." On pages 6 and 7, the Administrative Procedures for Electronic Filing provide instructions for creating an electronic signature.

2. Plaintiffs shall have up to and including November 22, 2021, to file a renewed motion consistent with the directives of this Order.

**DONE AND ORDERED** in Jacksonville, Florida, on October 22, 2021.

  
**MARCIA MORALES HOWARD**  
United States District Judge

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Copies to:

Counsel of Record  
Pro Se Parties